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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 10/021,737

Filing Date December 12, 2001

First Named Inventor Mitchell T. Weis

Group Art Unit 2152

Examiner Name Burgess, Glenton

Total Number of Pages in This Submission

6 \*\*

Attorney Docket Number

10005.0002

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Technology Center 2100

## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

Form SB-08 (1449);  
Copies of Listed References:  
(O - S documents);  
Return receipt postcard

Remarks

\*\* does not include pages of listed references

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Patrick D. Benedicto, Reg No. 40,909  
OKAMOTO & BENEDICTO LLP

Signature

Patrick Benedicto

Date

February 13, 2003

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: February 13, 2003

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Patrick Benedicto

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February 13, 2003

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Mitchell T. Weisman, et al.

Serial No. 10/021,737

Examiner: Burgess, Glenton

Filed: December 12, 2001

Art Unit: 2152

Title: METHOD AND APPARATUS  
FOR PROVIDING ITEMS TO USERS IN  
A COMPUTER NETWORK

Atty. Dkt. No.: 10005.000200

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Washington, DC 20231

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**INFORMATION DISCLOSURE STATEMENT**

**Under 37 C.F.R. §1.56 and §§1.97-98**

Sir:

Pursuant to the provisions of 37 CFR 1.56 and §§1.97-98, enclosed herewith is form PTO/SB/08 (substitute for form 1449A/PTO) listing references which may be material to the examination of this application, and with respect to which there may be a duty to disclose. The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

A copy of each listed reference is enclosed herewith, unless no such copy is required pursuant to 37 CFR § 1.98(d).

- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. [SERIAL NUMBER], filed on [FILING DATE], and the references cited therein are hereby listed but are not required to be provided in this application under 37 CFR § 1.98(d).

Pursuant to 37 CFR §1.97, this Information Disclosure Statement is being submitted under the section indicated below.

- ☒ 37 CFR §1.97(b).
- ☐ 37 CFR §1.97(c). If so, then either:
  - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that either:
    - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56 (c) more than three months prior to the filing of this Statement.
  - OR
  - ☐ Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).
- ☐ 37 CFR § 1.97(d). If so, then both:
  - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that either:
    - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement.
  - AND
  - ☐ Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).

Consideration of the listed references and favorable action are respectfully solicited.

Respectfully submitted,

Mitchell T. Weisman, et al.

Dated: February 13, 2003

By: Patrick D. Benedicto

Patrick D. Benedicto

Attorney For Applicant(s)

Reg. No. 40,909

OKAMOTO & BENEDICTO LLP

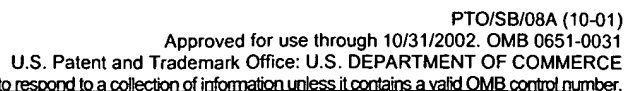
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San Jose, CA. 95164-1330

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| CERTIFICATE OF MAILING   |                             |        |                   |
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| Signature:   | <u>Patrick D. Benedicto</u> |        |                   |
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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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|-------|---|----|---|
| Sheet | 1 | of | 2 |
|-------|---|----|---|

**Complete if Known**

|                               |                     |
|-------------------------------|---------------------|
| <b>Application Number</b>     | 10/021,737          |
| <b>Filing Date</b>            | December 12, 2001   |
| <b>First Named Inventor</b>   | Mitchell T. Weisman |
| <b>Group Art Unit</b>         | 2152                |
| <b>Examiner Name</b>          | Burgess, Glenton    |
| <b>Attorney Docket Number</b> | 10005.000200        |

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner  
Signature

Date  
Considered

**EXAMINER:** Initial if reference considered; whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for Form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

**2**

of

**2**

**Complete if Known**

|                    |            |
|--------------------|------------|
| Application Number | 10/021,737 |
|--------------------|------------|

|             |                   |
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| Filing Date | December 12, 2001 |
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| First Named Inventor | Mitchell T. Weisman |
|----------------------|---------------------|

|                |      |
|----------------|------|
| Group Art Unit | 2152 |
|----------------|------|

|               |                  |
|---------------|------------------|
| Examiner Name | Burgess, Glenton |
|---------------|------------------|

|                        |              |
|------------------------|--------------|
| Attorney Docket Number | 10005.000200 |
|------------------------|--------------|

#### **OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

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Examiner  
Signature

Date  
Considered

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<sup>1</sup> Unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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